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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

Date: February 2, 2000
To: William E. Muno, Director
Superfund Division
From: Michael McAteer, RPM
Subject: Administrative Order Directing Compliance With Request for Access, Sauget Area 1 Site, Cahokia, Illinois

The attached Administrative Order requires the respondent, Terminal Railroad Association, to provide U.S. EPA and the PRP for the Sauget Area 1 Site, Solutia, Inc., entry and access to the respondent's property where it intersects with Dead Creek in Cahokia, Illinois. Access is required at this location in order for Solutia to conduct a time-critical removal action in accordance with a Unilateral Administrative Order (UAO) issued by U.S. EPA on June 21, 1999. The UAO requires that the respondents make certain storm water and drainage improvements (i.e., culvert replacements) on Dead Creek to help alleviate seasonal flooding problems. An imminent and substantial endangerment to public health and the environment exists because Dead Creek is known to be contaminated with elevated levels of organic contaminants, including PCBs, as well as heavy metals. The culvert owned by the Terminal Railroad Association on Dead Creek is undersized and will be replaced as part of the activities required by the UAO.

Under the UAO, Solutia, Inc. is responsible for gaining all necessary access at the Site. Solutia has contacted Terminal Railroad for the purposes of gaining access to this portion of the Site. However, given the administrative requirements of Terminal Railroad for providing access, both Solutia and Terminal Railroad have agreed that an Access Order from U.S. EPA would be preferable because it would significantly reduce the time required to gain legal access and conduct the removal action. Discussions between counsel for Terminal Railroad and U.S. EPA's Office of Regional Counsel have indicated that Terminal Railroad would comply with an Access Order from U.S. EPA. Work on the culvert replacement can begin immediately after access is provided.

Your signature on the attached Order is needed to permit access for both U.S. EPA and Solutia, Inc. in order to begin work on the flood abatement removal action on Dead Creek.

cc: Thomas Martin, ORC
Kevin Turner, OSC ✓